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August 25, 2023

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**VIA ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

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**MEMO ENDORSED**

Re: *United States v. Rovier Carrington*, 21 Cr. 653 (VEC) (S.D.N.Y.)

Dear Judge Caproni,

We represent Rovier Carrington in the above-referenced action. Mr. Carrington has informed us that since his remand to the Essex County Correctional Facility a medical condition he suffers from has worsened due to his prison diet. This condition is described in some detail in paragraph 61 of Mr. Carrington's Pre-Sentence Report (the "PSR"), along with some unsuccessful efforts the Probation Office undertook to follow-up with medical professionals.

Mr. Carrington has advised us that certain foods exacerbate this condition, which is consistent with publicly-available material we have identified about the disorder. We are continuing to work with the staff of the Essex facility to see if there is a way to accommodate his dietary restrictions.

In the meantime, Mr. Carrington has advised us that he is suffering a painful skin ailment resulting from his medical condition and the change to his diet. He has requested a simple moisturizing lotion to help manage these symptoms (like Aveeno daily moisturizing lotion, for instance). We understand from Mr. Carrington that the medical staff has considered the matter and ultimately determined that (a) they would not provide him with a lotion, and (b) if he wanted to pay for a lotion, he could purchase a cocoa butter lotion through the facility's commissary.

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Unfortunately, Mr. Carrington advises that his nut allergy precludes the second option. While we have endeavored to work with the Essex facility on these issues and hoped not to involve the Court, it appears we have reached the end of the road. Accordingly, we must respectfully ask the Court to order the Essex facility to provide Mr. Carrington with a non-nut based moisturizing lotion – especially as we have yet to find an acceptable dietary way to manage the symptoms from his underlying condition.

We thank the Court for its attention to this request.

Respectfully submitted,

/s/ Telemachus P. Kasulis  
Telemachus P. Kasulis

cc: Counsel of record

Application DENIED.

Mr. Carrington has not submitted any medical records to support his assertion that he has the medical condition described in paragraph 61 of the PSR, and Probation was unable to confirm Mr. Carrington's self-reported diagnosis. Nor has Mr. Carrington provided any evidence of a nut allergy, which was not included in his PSR. Even if Mr. Carrington did have a nut allergy, however, the Court notes that an allergy to nuts does not automatically mean that Mr. Carrington is allergic to cocoa butter, which is derived from cocoa beans, not nuts. See Joao Pedro Lopes et al, *Not So Sweet: True Chocolate and Cocoa Allergy*, J. Allergy & Clinical Immunology Practice (2019), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6815241/> (noting that true cocoa allergies, while possible, are highly uncommon).

SO ORDERED.



08/25/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE